

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Revision Petition- Revision Petition filed by Sri C.Ashok Reddy, S/o Late C. Ram Reddy, Gandhi Nagar, Kalwakurthy village, Mahaboobnagar District against the orders of Joint Collector, Mahabubnagar Case heard Orders – Issued.

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**REVENUE (ASSN.I) DEPARTMENT**

**G.O.Ms.No.568**

**Dated 05.06.2009.**

**Read the following:**

- 1) Revision Petition filed by C.Ashok Reddy, S/o Late C. Ram Reddy, R/o 12-27, Gandhi Nagar, Kalwakurthy village, Mahaboobnagar District dated 12-12-05.
- 2) Govt.Memo.No.3082/Assn.I(1)/06, dt.28.01.2006.
- 3) From the Collector, Mahabubnagar Lr.No.E1/4608/2006, dt.20.11.2006.
- 4) Govt.Memo.No.3082/Assn.I/1/2006, dt.26.04.2008.
- 5) Note from the Tahsildar, Veldanda, Mahabubnagar Dist. letter No.B/1275/ 2008, dt.02.06.2008.
- 6) Govt.Memo.No.3082/Assn.I/1/2006, dt.18.8.2008.
- 7) From the Collector, Mahabubnagar Lr.No.E1/537/2006, dt.28.8.08 addressed to the Tahsildar, Kalwakurthy.
- 8) Note from the Tahsildar, Veldanda, Mahabubnagar Dist. letter No.B/ 1275/ 2008, dt.10.09.2008.
- 9) Govt.Memo.No.3082/Assn.I/1/2006, dt.23.09.08.
- 10) Note from the Tahsildar, Veldanda, Mahabubnagar Dist. letter No.B/7058 / 2008, dt.29.09.2008 addressed to Prl.Secy. to Govt. Revenue Department.
- 11) Govt.Memo.No.3082/Assn.I/1/2006, dt.05.12.08.

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**ORDER :**

In the reference 1<sup>st</sup> read above, Sri C.Ashok Reddy, Kalwakurthy Village of Mahaboobnagar District has filed R.P. against the orders of the Joint Collector, Mahabubnagar in Proceedings No.E1/3629/2005, dt.27.8.2005 wherein the Joint Collector dismissed the appeal petition of the individual on the ground that the case attracts provisions of POT Act, 1977 and there is no irregularity in the orders passed by the lower courts.

2. Government have examined the R.P. filed by the petitioner and the District Collector, Mahabubnagar was requested to send his remarks/ records to Government.

3. Accordingly the District Collector, Mahabubnagar has submitted report/records to Government stating that Sri C.Ashok Reddy the present Revision Petitioner was found to be in possession of Ac.2.07 gts situated in Kotra village of Veldanda Mandal which was assigned to one landless ST Person Sri V.Rupla, S/o.Samya. This land was assigned to the landless ST person which was originally declared by the father of the said Ashok Reddy as surplus land under Land Ceiling Act. The concerned Mandal Revenue Officer after duly following the procedure like issuance of Form-I notice under rule 5 of AP Assigned Lands (POT) Act 1977, resumed the land as Sri Ashok Reddy did not submit any explanation to the notice issued to him and restored the land to the original assignee. Aggrieved by this, the individual filed Appeal before the Joint Collector, Mahabubnagar and the same was dismissed by the Joint Collector in his Proceedings E1/3629/2005 dated 27-8-2005.

4. The Collector has also reported that the contention of the individual that he is deaf & Dumb has no relevance to the POT Act and also that the Petitioner did not submit any evidence to prove that he was a landless person at the time of purchasing the assigned land. He has concluded that there are no valid grounds on the part of the Revision Petitioner and as such the RP is liable for dismissal in the admission stage itself.

(p.t.o.)

5. Govt. have examined the above report and the Dist. Collector, Mahabubnagar was requested to instruct the Tahsildar concerned to submit detailed factual note. In response to the above the Tahsildar Veldanda has submitted holding particulars of Sri C.Ram Reddy S/o Sai Reddy father of the Revision Petitioner as on 1983-84 i.e. on the date of purchase of the land bearing Sy.No.428 as follows:

Sl. No	Name of the Land holder	Sy.No.	Ext.
1	C.Ram Reddy S/o Sai Reddy	427	15.00
		428	12.00
		429	7.14
		Total	34.14

He has also reported that Sri C. Ram Reddy, declarant is having 2 sons viz (1) Sri C.Ashok Reddy (Revision Petitioner) and Sri C.Srinivas Reddy. Thus the Revision Pattadar was having share of Acs 17.07 gts is the holding his father as on the date of purchase of the land from the assignee. Further he has reported that Sri Roopla S/o Samya, assignee is not having landed property on his name as on the date of assignment and he was having Acs.4.32 gts share out of Sy.No.590/E as on the date of restoration. Recently Roopla assignee expired and succession has been sanctioned in the names of his (5) sons (1) Sri Padma Ram (2) Sri Ganesh & Santosh sons of Jamla (3) Sri Chandulal (4) Sri Ramji and (5) Sri Siva Lal sons of Roopla. He has also reported that thus the assignee and his LR's, comes under the definition of land less poor. He has also reported that Sri C.Ashok Reddy S/o Ram Reddy does not come under the definition of land less poor as on the date of purchase as his father is the declarant / surplus holder.

6. Government have examined the entire matter and passed the following order:

“Case called for hearing at 3.00 PM on 20.12.2008. Advocate for the petitioner and the Tahsildar, Kalwakurthy Mandal have attended. The records of the Joint Collector, Mahabubnagar have been obtained. As verified from the records, it is observed that Sri Rupla S/o Samya belonging to S.T. Community was assigned surplus ceiling land to an extent of Ac.2.07 Gts in Kotra village of Veldanda Mandal, Mahabubnagar district. The land was originally declared by the father of Sri C.Ashok Reddy (Petitioner) under Land Ceiling Act. During the course of Inspection by the Tahsildar concerned it was found that the surplus ceiling land was assigned to the landless poor beneficiary which was in the possession of Sri C.Ashok Reddy. The Tahsildar concerned has initiated the proceedings under AP Assigned Lands (POT) Act 1977 and resumed the land after following the due procedure under law. It was also reported by the Tahsildar that Sri C.Rami Reddy father of the petitioner holding Ac.34.14 Gts of land as on 1983-84 and the petitioner would get his share of Ac.17.07 Gts. Thus the petitioner is not entitled for any exemption under Section 3(5) of the Act.

The arguments made by the Advocate for the petitioner are not convincing. The petitioner is not a landless poor. His father himself is a landlord who has declared the subject land as excess land under Land Ceiling Act. After careful examination, it is found that there is no need to interfere in the impugned order given by the Joint Collector, Mahabubnagar in Proceedings No.E1/3629/2005 dt.27.8.2005. The Revision Petition is accordingly dismissed.”

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**M.SAMUEL,**

**PRINCIPAL SECRETARY TO GOVERNMENT.**

To

Sri C.Ashok Reddy, S/o Late C. Ram Reddy, R/o 12-27, Gandhi Nagar,  
Kalwakurthy village, Mahaboobnagar District.

The District Collector, Mahabubnagar.

Copy to: The PS to Prl.Secy. to Govt. Rev.(MS)

SF/SC

**//FORWARDED::BY ORDER//**

**SECTION OFFICER.**